



# County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA  
Chief Executive Officer

March 18, 2008

The Honorable Board of Supervisors  
County of Los Angeles  
383 Kenneth Hahn Hall of Administration  
500 West Temple Street  
Los Angeles, CA 90012

Dear Supervisors:

**INTERNAL SERVICES DEPARTMENT:  
APPROVE TEN JOB ORDER CONTRACT AGREEMENTS AND FIVE AS NEEDED  
ARCHITECTURAL/ENGINEERING SERVICES AGREEMENTS  
(ALL SUPERVISORIAL DISTRICTS)  
(3 VOTES)**

**IT IS RECOMMENDED THAT YOUR BOARD:**

1. Authorize the Director of Internal Services Department (ISD) or his designee to award and execute six general and four specialty (two electrical and two mechanical) Job Order Contract (JOC) agreements, which have been approved as to form by County Counsel, substantially similar to the attached sample contract (Attachment I) with the contractors listed on Attachment II, to provide services to County facilities such as as-needed repair, deferred maintenance, and refurbishments. The agreements will be for a one-year term effective upon Board approval with an estimated cost not-to-exceed \$4.0 million per Agreement. The aggregate not-to-exceed amount for the ten agreements is \$40.0 million and is included in the FY 2007-08 Final Adopted Budget.
2. Authorize the Director of ISD or his designee to award and execute five agreements which have been approved as to form by County Counsel, substantially similar to the attached sample agreement (Attachment III) to provide as-needed Architectural/Engineering (A/E) Service. The agreements will be for a one year term effective upon Board approval with an option to extend for two additional one-year periods at an estimated annual cost not-to-exceed \$300,000, with firms indicated below:

Board of Supervisors  
GLORIA MOLINA  
First District

YVONNE B. BURKE  
Second District

ZEV YAROSLAVSKY  
Third District

DON KNABE  
Fourth District

MICHAEL D. ANTONOVICH  
Fifth District

1. Wayne C. Siu, Architects
2. JC Chang & Associate
3. BOA Architecture
4. JTC Architecture
5. Viniegra & Viniegra Architecture

3. Authorize the Director of ISD or his designee to: (1) Finalize and execute all options to renew the agreements and individual work orders; and (2) execute applicable amendments when the original contracting entity has merged, been purchased or has otherwise changed.

### **PURPOSE /JUSTIFICATION OF RECOMMENDED ACTION**

The recommended JOC agreements will enable ISD to provide facilities repair, deferred maintenance and refurbishment services requested by County departments and to accomplish projects approved by your Board in an effective and timely manner. These projects exceed the capability of ISD's in-house staff. There are insufficient in-house resources to fulfill the current and anticipated County requirements for facilities repair, deferred maintenance, and refurbishment services. The ten recommended JOC agreements are required to perform high priority facilities work and are required to replace previously approved JOC agreements, which are reaching their capacity limit.

Since its inception, the JOC Program has been a proven method for ISD to meet County department service level demands beyond what ISD's in-house staff can provide. In the aggregate, the recommended JOC agreements will provide the County with a full range of refurbishment-type construction services, including the following:

- General construction services including roofing, plumbing, masonry, ceiling repairs and other renovations
- Electrical
- Mechanical (Heating/Ventilation/Air Conditioning)

The JOC Program is a responsive and cost-effective resource to augment ISD's ability to accomplish County requirements for facilities repair, deferred maintenance and refurbishment services. The combination of JOC and County staff optimizes ISD's capabilities to mobilize, stage and execute multiple projects in a compressed time frame. The ten recommended JOC agreements will provide the additional resources required for timely and effective completion of as-needed services.

Public Contract Code Section 20128.5 allows individual JOC's to have a one-year term and a maximum value of \$3.0 million. A 1997 amendment to Section 20128.5 allows

annualized adjustments to the \$3.0 million maximum contract value, based on percentage increases in the California Consumer Price Index (CPI). ISD staff have determined that by applying the authorized annual adjustments, the maximum annual value of JOC agreements has now been increased to \$4.0 million, and we request that these agreements be approved for a not-to-exceed amount of those adjusted figures.

The recommended A/E Agreements will provide sufficient design and engineering services to enable ISD to facilitate repairs, maintenance and refurbishment projects. Currently, ISD has five A/E agreements that will expire on March 31, 2008. Some County renovation and repair work requires programming, design or engineering to fully define the work and obtain the required local jurisdictional approvals. ISD does not have sufficient in-house engineering and design capabilities to perform this work.

#### **Implementation of Strategic Plan Goals**

The recommended action supports the Countywide Strategic Plan Goal Number 1: Service Excellence; Goal Number 3: Organizational Effectiveness; and Goal Number 4: Fiscal Responsibility by managing County resources.

#### **FISCAL IMPACT/FINANCING**

The recommended JOC Agreements were bid for a not-to-exceed amount of \$4.0 million per agreement to be exercised in increments on an as-needed basis. Adequate appropriation is included in ISD's FY 2007/08 budget. ISD's FY 2008/09 budget request includes \$40 million for JOC agreement expenditures. ISD will incur JOC expenditures to the extent that they are offset through County department billings and within the available appropriation. ISD will seek Board approval for an additional appropriation if funding requests for JOC services exceed funds available in ISD's budget.

Individual JOC Agreements have a statutory limitation of \$4.0 million with a one-year term as specified in Section 20128.5 of the Public Contract Code. The County is only obligated to order a minimum of \$25,000 for the General, Electrical, and Mechanical JOC Agreements.

Approval of the A/E Agreements does not guarantee a contractor any minimum amount of business. The County only incurs an obligation as individual work orders are issued. These agreements will only be used where sufficient budgeted funds are available from departments requesting the work. ISD will incur A/E expenditures to the extent that they are offset through County department billings and within available appropriation.

## **FACTS AND PROVISIONS/LEGAL REQUIREMENTS**

Your Board has approved JOC Agreements for ISD over the past several years. JOC Agreements are fixed fee, unit-price-based agreements with indefinite quantities. The requested Agreements meet all Federal, State and County contracting requirements. JOC contractors are required to pay prevailing wages.

The terms and conditions of the proposed agreements have been approved as to form by County Counsel. The agreements contain the Board's required contract provisions including those pertaining to consideration of qualified County employees targeted for layoff, as well as qualified GAIN/GROW participants for employment openings, and compliance with the Jury Service Ordinance, Safely Surrendered Baby Law and the Child Support Program.

Neither JOC nor A/E Agreements are Proposition "A" agreements due to the technical nature of the services provided, and therefore are not subject to the Living Wage Program (County Code Chapter 2.201). It has been determined that the services under these agreements do not impact Board Policy No. 5.050, "Low Cost Labor Resource Program," because of the specialized training needed to perform the work.

## **ENVIRONMENTAL DOCUMENTATION**

California Environmental Quality Act (CEQA) requires public agency decision makers to document and consider the environmental implications of their actions.

These JOC agreements provide for facilities repair, deferred maintenance and refurbishment services requested by County Departments, which are generally categorically exempt under CEQA.

Upon your Board authorizing the Director to execute JOC agreements, ISD will file all required Notices of Exemption for each categorically exempt project as provided for by CEQA. Your Board will be asked to make environmental determinations for any projects which are not categorically exempt.

## **CONTRACTING PROCESS**

On December 19, 2007, using the December 2007 Price Books and the December 2007 Specifications adopted by your Board on December 18, 2007, an Invitation For Bids (IFB) was released to seventeen contractors shown in Attachment IV. Notice of the IFB was also posted on the County's website (Attachment V) and in various trade publications. A pre-bid conference was held on January 9, 2008 to discuss bidding and project

requirements. On January 22, 2008, ninety-three bids were received for the ten JOC agreements. Bidders were required to submit a set of cost adjustment factors that would be applied to the unit prices for work in the December 2007 Price Books. Each bid was determined by calculating a composite factor using a predetermined and advertised formula.

The lowest responsive and responsible contractors were selected for each of the JOC Agreements. Contractors associated with JOC agreements have historically subcontracted with Community Business Enterprise (CBE) firms, consistent with your Board's CBE participation goal. The Los Angeles County Community Business Enterprise program summary information on each firm is provided in Attachment VI. Of the ten agreements recommended for award, two are being awarded to certified CBE's. Furthermore, two of the agreements are being awarded to certified Local Small Business Enterprises (LSBE). These firms received the LSBE preference applied to their individual bids.

ISD will initiate new JOC solicitations on an as-needed basis to support the needs of the County. As current agreements near expiration or reach their contract amount, additional solicitations will be made and returned to your Board for approval.

ISD issued a Request for Statement of Qualifications for as-needed A/E services to thirty-one A/E firms recommended by the Architectural Evaluation Board (AEB) on December 12, 2007. Statements of Qualifications (SOQs) were received from six firms on January 7, 2008. An Evaluation Committee consisting of representatives from the AEB and ISD evaluated the responses and recommended five firms to provide the required as-needed A/E services.

The Local Small Business Enterprise preference program does not apply to the solicitation for A/E services. The evaluation of the SOQs was based on the firm's qualification and approach and not on cost. This solicitation was not posted on the County's website since it is the County's policy to use the AEB's listing of qualified A/E firms for design services.

When A/E services under this agreement are required, ISD will request the services from one of the five firms on a rotational basis. It is ISD's intent to equitably distribute design services among the recommended A/E firms.

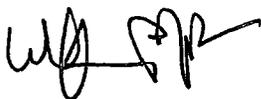
**IMPACT ON CURRENT SERVICES (OR PROJECTS)**

There is no employee impact. These agreements are intended to augment, but not replace, the County workforce and to ensure our ability to respond to emergency requirements.

**CONCLUSION**

Your approval of the recommendations will provide the resources necessary to provide timely services to ISD's County customers. Please return one stamped copy of the approved Board letter to ISD.

Respectfully submitted,



WILLIAM T FUJIOKA  
Chief Executive Officer

WTF:DL  
CL:os

Attachments

c: County Counsel  
Director of Internal Services

**SAMPLE AGREEMENT**  
**JOB ORDER CONTRACT**  
**GENERAL – MARCH 2008**  
**[JOC #]**

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2008, by and between the COUNTY OF LOS ANGELES, State of California (hereinafter called County), and

[CONTRACTOR NAME]  
A California Corporation  
[CONTRACTOR ADDRESS]  
[CONTRACTOR CITY and ZIP CODE]  
[CONTRACTOR PHONE NUMBER]

(hereinafter called Contractor),

WITNESSETH: County and Contractor for the consideration hereafter agree as follows:

**ARTICLE 1. SCOPE OF WORK**

1. Contractor shall be bound by the December 2007 General Conditions, and all other items forming the contract documents.
2. Contractor shall provide and perform all work and take the necessary measures to complete work on individual Work Orders against this Job Order Contract as described in the General Conditions hereto and made a part thereof, in a proper and workmanlike manner in strict accordance with the contract documents, and shall perform all other obligations imposed by this Contract.

**ARTICLE 2. THE CONTRACT SUM**

1. The contract is an indefinite-quantity contract for the repair and/or remodeling of the items specified with a minimum cumulative total of \$25,000 under this contract. The contract is for a one-year term and is not-to-exceed \$4,000,000.
2. Contractor shall perform all work ordered, necessary, and proper for or incidental to completing the work called for in each individual Work Order issued against this Job Order Contract using the Construction Task Catalog (CTC) dated January 2008 and Technical Specifications dated January 2008, incorporated herein using the following adjustment factors:

- a. Normal Working Hours: Contractor shall perform any or all functions called for in the General Conditions during normal working hours in the quantities specified in individual Work Orders issued under this contract for the unit price sum specified in the CTC multiplied by the adjustment factor of:

Adjustment Factor

[FACTOR]

- b. Other than Normal Working Hours: Contractor shall perform any or all functions called for in the General Conditions during other than normal working hours in the quantities specified in individual Work Orders issued under this contract for the unit price sum specified in the CTC multiplied by the adjustment factor of:

Adjustment Factor

[FACTOR]

### **ARTICLE 3. COMPLETION OF TIME**

1. The contract is an indefinite-quantity contract for the repair and/or remodeling of the items specified, effective for a 12-month period or until maximum estimated contract cost of \$4,000,000 is incurred, whichever occurs earlier.
2. Performance shall be specified in each individual Work Order issued hereunder. Individual Work Order performance time will be negotiated in accordance with General Conditions article entitled, "Ordering Procedures." The Contractor may, on individual Work Orders, be required to pay to the County as liquidated damages a sum in accordance with General Conditions article entitled, "Failure to Complete Work on Time," for each and every calendar day that Contractor shall be in default on that individual Work Order.

### **ARTICLE 4. CONTRACTOR'S REPRESENTATIVE**

Contractor, upon execution of this agreement, shall designate a senior level manager who will represent the contractor with regards to management and contracting issues. Contractor shall provide written notice to County of any changes to contractor's representative within five days of such change.

Unless otherwise defined, all terms herein shall have the definitions given in the General Conditions.

IN WITNESS WHEREOF, the County has, by order of its Board of Supervisors, caused these presents to be subscribed by the Director of Internal Services Department, and Contractor has hereunto subscribed its corporate name and affixed its corporate seal by its duly authorized officers the day, month, and year herein first above written.

COUNTY OF LOS ANGELES

CONTRACTOR

By \_\_\_\_\_  
Director,  
Internal Services Department

By \_\_\_\_\_

By \_\_\_\_\_

Approved as to form:

Office of the County Counsel

\_\_\_\_\_  
LICENSE NO.      CLASSIFICATION

By \_\_\_\_\_  
Principal Deputy County Counsel

**PROPOSED JOC CONTRACTORS**

The following proposed JOC agreements are for a not-to-exceed \$4.0 million within the same one-year term:

JOC #	CONTRACTOR	SERVICE
JOC # 75	Harry Joh Construction	General
JOC # 76	JAM Corporation	General
JOC # 77	Mackone Development	General
JOC # 78	MTM Construction Inc.	General
JOC # 79	MTM Construction Inc.	General
JOC # 80	MTM Construction Inc.	General
EJOC # 21	JAM Corporation	Electrical
EJOC # 22	JAM Corporation	Electrical
MJOC # 18	Athena Engineering	Mechanical
MJOC # 19	Harry Joh Construction	Mechanical

**BIDDERS LIST**

ACCO Engineering Systems  
6265 San Fernando Road  
Glendale, CA 91201

Angeles Contractors, Inc.  
8461 Commonwealth Ave.  
Buena Park, CA 90621

Cal-Pac Engineering  
811 Wilshire Blvd. #1003  
Los Angeles, CA 90017

ER Electric Co.  
16101 Filbert St.  
Sylmar CA. 91342

Harry H. Joh Construction  
8205 Sommerset Blvd  
Paramount, CA 90723

Mackone Development Inc.  
2244 Beverly Blvd.  
Los Angeles, CA 90057

New Creation Engineering  
17809 Clark Ave  
Bellflower, CA 90706

SBS Corporation  
31416 Agoura Rd. Suite 135  
Westlake Village, CA 91361

Torres Construction  
7330 N. Figueroa St.  
Los Angeles, CA 90041

ACE Engineering  
1880 Wright Ave  
La Vern, CA 91750

Athena Engineering  
456 E. Foothill Blvd.  
San Dimas, CA 91773

Comet Electric  
7760 Deering Ave.  
Canoga Park, CA 91304

F.M. Thomas Air Conditioning  
231 Gemini Ave  
Brea, CA 92821

JAM Corporation  
1930 S. Myrtle Ave.  
Monrovia, CA 91016

MTM Construction Inc.  
16035 Phoenix Dr.  
City of Industry, CA91745

Olsen Construction  
710 E. Los Angeles Ave.  
Monrovia, CA 91016

Sunbelt Electric Inc.  
6265 San Fernando Rd.  
Glendale, CA 91201

***Bid Detail Information***

**Bid Number :** JOC-2008-01  
**Bid Title :** Job Order Contract for General AI164, AI165, AI166, AI167, AI168, AI169, AI170, AI171, AI172, AI173, AI174, AI175, AI176, AI177, AI178  
**Bid Type :** Construction  
**Department :** Internal Services Department  
**Commodity :** CONSTRUCTION SERVICE, GENERAL (DIGGING, DITCHING, ROAD GRADING, ROCK STABILIZATION, ETC.)  
**Open Date :** 12/19/2007  
**Closing Date :** 1/22/2007 1:30 PM  
**Bid Amount :** \$ 4,000,000  
**Bid Download :** [Available](#)  
**Bid Description :** ISD uses JOC to repair, maintenance, and refurbish County facilities. A pre-bid conference will be held for all JOC bids at 10:00 a.m. on January 9, 2008, ISD/FOS Large Conference Room at 1100 N. Eastern Avenue, Los Angeles, CA 90063 to provide information on the project, bidding process, and answer any questions that potential bidders may have. It is strongly recommended that a principal of the company or a person authorized to make decisions for the company to attend the pre-bid conference. For further directions, please contact Ms. Sue Chang at (323) 267-3129.  
**Contact Name :** Sue Chang  
**Contact Phone# :** (323) 267-3129  
**Contact Email :** [sue.chang@isd.lacounty.gov](mailto:sue.chang@isd.lacounty.gov)  
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